

HIGHER EDUCATION AMENDMENTS
OF 1998FEINSTEIN (AND BOXER)
AMENDMENT NO. 3107

Mrs. FEINSTEIN (for herself and Mrs. BOXER) proposed an amendment to the bill (S. 1882) to reauthorize the Higher Education Act of 1965, and for other purposes, as follows:

On page 417, line 17, insert "(i)" after "(B)".

On page 417, line 19, insert "or clause (ii)" after "subparagraph (A)".

On page 417, line 23, strike the end quotation marks and "and".

On page 417, between lines 23 and 24, insert the following:

"(ii) Notwithstanding subsection (a)(1), the Secretary may allow, on a case-by-case basis, a student to receive a basic grant if the student—

"(I) is carrying at least ½ the normal full-time work load for the course of study the student is pursuing, as determined by the institution of higher education; and

"(II) is enrolled or accepted for enrollment in a postbaccalaureate program that does not lead to a graduate degree, and in courses required by a State in order for the student to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that State, except that this subparagraph shall not apply to a student who is enrolled in an institution of higher education that offers a baccalaureate degree in education."; and

HUTCHISON AMENDMENT NO. 3108

(Ordered to lie on the table.)

Mrs. HUTCHISON proposed an amendment to the bill, S. 1882, supra; as follows:

Amend Section 435(d)(1) of the Higher Education Act by adding a new section:

(K) for the purpose of making loans under this part or holding loans made by other lenders under this part, any not for profit corporation described in Section 150(d)(2) of the Internal Revenue Code Act of 1986, as amended, or any transferee corporation described in Section 150(d)(3)(B) of the Internal Revenue Code Act of 1986, as amended.

SPECTER (AND OTHERS)
AMENDMENT NO. 3109

Mr. JEFFORDS (for Mr. SPECTER for himself, Mr. SANTORUM, and Mrs. MURRAY) proposed an amendment to the bill, S. 1882, supra; as follows:

On page 550, between lines 16 and 17, insert the following:

(4) in paragraph (6) (as redesignated by paragraph (2)), by amending subparagraph (A) to read as follows: "(A) For purposes of this section the term 'campus' means—

"(i) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution, including a building or property owned by the institution, but controlled by another person, such as a food or other retail vendor;

"(ii) any building or property owned or controlled by a student organization recognized by the institution;

"(iii) all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facil-

ity, that is adjacent to a facility owned or controlled by the institution;

"(iv) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution; and

"(v) all dormitories or other student residential facilities owned or controlled by the institution.";

On page 553, line 25, strike the end quotation marks and the second period.

On page 553, after line 25, insert the following:

"(10)(A) The Secretary shall report to the appropriate committees of Congress each institution of higher education that the Secretary determines is not in compliance with the reporting requirements of this subsection.

"(B) The Secretary shall provide to an institution of higher education that the Secretary determines is having difficulty, or is not in compliance, with the reporting requirements of this subsection—

"(i) data and analysis regarding successful practices employed by institutions of higher education to reduce campus crime; and

"(ii) technical assistance.

"(11) For purposes of reporting the statistics described in paragraphs (1)(F) and (1)(H), an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur—

"(A) on publicly owned sidewalks, streets, or other thoroughfares, or in parking facilities, that are adjacent to facilities owned by the institution; and

"(B) in dormitories or other residential facilities for students on campus.

"(12)(A) Upon determination, after reasonable notice and opportunity for a hearing on the record, that an institution of higher education—

"(i) has violated or failed to carry out any provision of this subsection or any regulation prescribed under this subsection; or

"(ii) has substantially misrepresented the number, location, or nature of the crimes required to be reported under this subsection, the Secretary shall impose a civil penalty upon the institution of not to exceed \$25,000 for each violation, failure, or misrepresentation.

"(B) Any civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of the penalty to the size of the institution of higher education subject to the determination, and the gravity of the violation, failure, or misrepresentation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the institution charged.

"(13)(A) Nothing in this subsection may be construed to—

"(i) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or

"(ii) establish any standard of care.

"(B) Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection

"(14) This subsection may be cited as the 'Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act'."

GRAHAM (AND OTHERS)
AMENDMENT NO. 3110

Mr. GRAHAM (for himself, Mr. WELLSTONE, and Mr. HAGEL) proposed an amendment to the bill, S. 1882, supra; as follows:

On page 537, between lines 20 and 21, insert the following:

SEC. 476. TREATMENT OF OTHER FINANCIAL ASSISTANCE.

Section 480(j)(3) (20 U.S.C. 1087vv(j)(3)) is amended by inserting "educational assistance after discharge or release from service under chapter 30 of title 38, United States Code, or" after "paragraph (1)".

In section 458(a)(1)(B) of the Higher Education Act of 1965, as amended by section 454 of this Act, strike "\$617,000,000" and insert "\$612,000,000".

In section 458(a)(1)(B) of the Higher Education Act of 1965, as amended by section 454 of this Act, strike "\$735,000,000" and insert "\$730,000,000".

On page 514, line 9, strike "\$770,000,000" and insert "\$765,000,000".

On page 514, line 10, strike "\$780,000,000" and insert "\$770,000,000".

On page 514, line 11, strike "\$795,000,000" and insert "\$785,000,000".

On page 446, line 6, strike "section 428(c)(6)(A)(i)" and insert "section 428(c)(6)(A)".

On page 450, line 6, strike "section 428(c)(6)(A)(ii)" and insert "section 428(c)(6)(B)".

WELLSTONE (AND OTHERS)
AMENDMENT NO. 3111

Mr. WELLSTONE (for himself, Mr. FORD, Mr. JOHNSON, Mr. DURBIN, Mr. LEVIN, Ms. MIKULSKI, and Ms. MOSELEY-BRAUN) proposed an amendment to the bill, S. 1882, supra; as follows:

At the appropriate place in title VII, insert the following:

SEC. ____ . EXPANSION OF EDUCATIONAL OPPORTUNITIES FOR WELFARE RECIPIENTS.

(a) 24 MONTHS OF POSTSECONDARY EDUCATION AND VOCATIONAL EDUCATIONAL TRAINING MADE PERMISSIBLE WORK ACTIVITIES.—Section 407(d)(8) of the Social Security Act (42 U.S.C. 607(d)(8)) is amended to read as follows:

"(8) postsecondary education and vocational educational training (not to exceed 24 months with respect to any individual);"

(b) MODIFICATIONS TO THE EDUCATIONAL CAP.—

(1) REMOVAL OF TEEN PARENTS FROM 30 PERCENT LIMITATION.—Section 407(c)(2)(D) of the Social Security Act (42 U.S.C. 607(c)(2)(D)) is amended by striking "or (if the month is in fiscal year 2000 or thereafter) deemed to be engaged in work for the month by reason of subparagraph (C) of this paragraph".

(2) EXTENSION OF CAP TO POSTSECONDARY EDUCATION.—Section 407(c)(2)(D) of the Social Security Act (42 U.S.C. 607(c)(2)(D)) is amended by striking "vocational educational training" and inserting "training described in subsection (d)(8)".

DAKOTA WATER RESOURCES ACT
OF 1998DORGAN (AND CONRAD)
AMENDMENT NO. 3112

Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the